

The Examiner alleges that Schmidt shows a catch 4 *projecting into* the tubular member 3. Issue is taken in this respect. As can be seen in Figs. 2, 3 and 4, the legs 6 of the member 4 of Schmidt do not project into the lower staff section 3.

The Examiner alleges that Schmidt describes a "pin" 15 mounted in the tubular member 3. Issue is taken in this respect. Schmidt describes a sleeve 14 that is fitted over a lower member 8 that is fitted over the staff section 3. This sleeve 14 has a pair of teeth 15 in its upper end to interlock with sockets 7 in the legs 6 of the member 4. Thus, the teeth 15 are not mounted in the staff section 3.

Claim 1 is directed to a tilt mechanism that comprises, *inter alia*, "a catch mounted in one of said [tubular] members and projecting into the other of said [tubular] members." Schmidt is void of any such teaching. The member 4 of Schmidt is mounted over the solid upper staff section 4 and does not project into the lower staff section 3 or into the sleeve 14. As shown in Fig. 2, the legs 6 of the member 4 butt against the upper surface of the sleeve 14. Accordingly, a rejection of claim 1 as being anticipated by Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claim 1 further requires the catch to have "a plurality of recesses at an end projecting into said other tubular member." As can be seen in Figs. 2 and 4 of Schmidt, the sockets 7 of the member 4 of Schmidt do not project into the sleeve 14 or lower staff section 3. Instead, the two teeth 15 of Schmidt on the sleeve 14 are to project into the sockets 7. For this additional reason, a rejection of claim 1 as being anticipated by Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claims 3 and 4 depend from claim 1 and are believed to be allowable for similar reasons.

Claim 5 has been rejected as being anticipated by Schmidt. However, claim 5 contains recitations similar to claim 1 and, for reasons as expressed above, a rejection of claim 5 as being anticipated by Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claim 5 further recites "a pin slidably mounted in said other of said tubular members" Clearly, the teeth 15 on the sleeve 14 of Schmidt are not "slidably mounted" in the sleeve 14. Instead, the teeth 15 are fixed in place. For this additional reason, a rejection of claim 5 as being anticipated by Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 102.

Note is made that the Examiner alleges that the pin 15 of Schmidt is "slidably mounted." It is respectfully requested that the Examiner provide the basis for this interpretation.

Claims 6 to 8 depend from claim 5 and are believed to be allowable for similar reasons.

Claim 6 depends from claim 5 and further recites that the end of the catch "is spaced concentrically from said second tubular member with tubular members in alignment with each other and is in abutment with said second tubular member in a terminal tilted position... ." Schmidt is void of any such teaching or structure. As can be seen in Figs. 2 and 4 of Schmidt, the member 4 does not project into the sleeve 14 and is not spaced concentrically from the sleeve 14. Also, the member 4 would not be in abutment with the sleeve 14 when in a tilted terminal position. As indicated in Fig. 4, only the teeth 15 of the sleeve 14 reside in the sockets 7 of the member 4 of Schmidt when in the tilted position. Accordingly, a rejection of claim 6 as being anticipated by Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claim 9 has been rejected as being anticipated by Schmidt. Issue is taken in this respect.

Claim 9 requires "a catch fixedly mounted in one of said member along a longitudinal axis." Clearly, the member 4 of Schmidt is not mounted in a tubular member. Instead, the member 4 of Schmidt has a solid section with a bifurcated end comprising two legs 6. That is to say, there is no catch in Schmidt which is fixedly mounted in a tubular member along a longitudinal axis. Accordingly, a rejection of claim 9 as being anticipated by Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claim 9 further requires the catch to have "a stem projecting into and pivotally secured to the other of said members" The member 4 of Schmidt does not have such a stem. Note that the upper end of the lower staff section 3 of Schmidt mounts a member 8 which has a cylindrical neck 10 of reduced diameter and a tongue 12 that projects upwardly to fit between the legs 6 of the member 4 while a pin 13 connects the members 4, 8 together. This tongue 12 does not have recesses at an end, as required by the stem of claim 9. Accordingly, for this additional reason, a rejection of claim 9 as

being anticipated by Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claims 11 to 14 depend from claim 9 and are believed to be allowable for similar reasons.

Claim 13 further recites that the pin is "slidably mounted in said other of said tubular members." As noted above, with respect to claim 5, the teeth 15 of Schmidt are not slidably mounted on the sleeve 14. For this additional reason, a rejection of claim 13 as being anticipated by Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claim 14 depends from claim 13 and requires the pin to have a "rounded head" at each end that projects from the tubular member "for manual contact thereof." The Examiner admits that Schmidt does not describe or teach such a pin but alleges that it would be obvious to show the pin 15 rounded at each end and to project from the sleeve 14. Issue is taken in this respect. As noted above, the teeth 15 of Schmidt do not constitute a pin that is slidably mounted in the sleeve 14. Instead, the teeth 15 are fixed in place. Furthermore, projecting the teeth 15 beyond the plane of the sleeve 14 and providing the teeth 15 with exposed, rounded heads would serve no purpose and would be contrary to the teachings of Schmidt, which requires the member 4 and sleeve 14 to have smooth surfaces. Accordingly, for this additional reason, a rejection of claim 14 as being unpatentable over Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 103.

Claim 15 has been rejected as being anticipated by Schmidt. Issue is taken in this respect.

Claim 15 requires, *inter alia*, "a catch fixedly mounted in said first member along a longitudinal axis and having a stem projecting into said second member, said stem having a plurality of recesses at a lower end thereof. As noted above, with respect to claim 9, the leg 6 of the member 4 of Schmidt do not project into the sleeve 14. Further, the tongue 12 of Schmidt does not have recesses. Accordingly, a rejection of claim 15 as being anticipated by Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claim 15 further requires "a rivet pivotally securing said stem in said second member" The pin 13 of Schmidt secures the tongue 12 between the legs 6 but does

not secure the alleged "catch 4" in the sleeve 14. For this additional reason, a rejection of claim 15 as being anticipated by Schmidt is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claims 17 to 24 depend from claim 15 and are believed to be allowable for similar reasons.

Claim 22 contains recitations similar to claim 6 and is believed to be allowable for similar reasons as expressed above with respect to claim 6.

Claim 5 has also been rejected as being anticipated by Lin. Note is made that, in the Office Action of May 12, 2003, claim 5 had been rejected as being unpatentable over Wohlhuter in view of Lin and that this rejection was later withdrawn.

The Examiner alleges that Lin shows a catch 1 mounted in a tubular member 10 and projecting into the second tubular member 20. Issue is taken in this respect. Lin teaches an upper element 1 that has a hollow tube 10 at the top and a flat form at the bottom. Clearly, the flat bottom of the element 1 is not mounted in the hollow tube 10. Instead, the flat member 1 extends from the hollow tube 10.

Further, the flat form of the upper element 1 projects between upstanding lugs 21 of the lower element 2. That is to say, the flat element 1 does not project into the hollow tube 20 but is located between the lugs 21. If the flat upper element 1 were to project into the hollow tube 20, the upper element 1 could not be tilted relative to the hollow tube 20. Accordingly, a rejection of claim 5 as being anticipated by Lin is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claims 6 to 8 depend from claim 5 and are believed to be allowable for similar reasons.

Claim 6 further requires the catch to be "spaced concentrically from said second tubular member with said tubular members in alignment ... and ... in abutment with said second tubular member in a terminal tilted position" The flat form member 1 of Lin does not project into the hollow tube 20, is not spaced concentrically from the hollow tube 20 and does not abut the hollow tube 20 when in a tilted position. Accordingly, a rejection of claim 6 as being anticipated by Lin is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claim 7 requires the two tubular members to have contoured, interfitting end surfaces to be provide a smooth, cylindrical contour. Lin does not describe or teach

such a structure. Instead, Lin relies upon a flat upper element 1 to fit between the lugs 21 of the lower member 2. Accordingly, a rejection of claim 7 as being anticipated by Lin is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claim 15 has been rejected as being anticipated by Lin. Issue is taken in this respect.

Claim 15 requires "a catch fixedly mounted in said first member ... and having a stem projecting into said second member" As noted above, the flat form of the upper element 1 is not mounted in the hollow tube 10 and does not project into the hollow tube 20. Accordingly, a rejection of claim 15 as being anticipated by Lin is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claim 15 further requires "a rivet pivotally securing said stem in said second member" Lin does not describe or teach such a structure. Specifically, the pivot pin 4 of Lin passes between the lugs 21 and does not pass through the hollow tube 20. Thus, the pivot pin 4 secures the flat upper element 1 to the lugs 21 and not to the hollow tube 20. For this additional reason, a rejection of claim 15 as being anticipated by Lin is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claim 15 further requires "spring means coaxially mounted in said second tubular member" Lin does not describe or teach such a structure. Specifically, the spring 5 of Lin is mounted transversely of the element 2. The spring 5 is not coaxially mounted in the hollow tube 20 or element 2. Accordingly, for this additional reason, a rejection of claim 15 as being anticipated by Lin is not warranted pursuant to the provisions of 35 U.S.C. 102.

Claims 17 to 24 depend from claim 15 and are believed to be allowable over Lin for similar reasons.

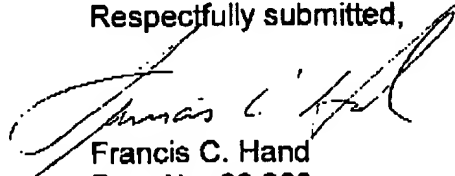
Claim 22 contains recitations similar to claim 6 and is believed to be allowable over Lin for similar reasons as expressed above with respect to claim 6.

Claim 24 depends from claim 15 and requires a pin to project through "said slots for grasping thereof." Lin is void of any such structure. Contrary to the allegations of the Examiner, the button end 34 of the locking piece 3 of Lin does not project from the member 2. As illustrated in figs. 2 and 3, the button end 34 is flush with the outside surface of the element 2 and moves inwardly against the bias of the spring 5. Further, the opposite end of the locking piece 3 is flush with the element 2 in the Fig. 2 position

and projects beyond the element 2 when the button end is depressed. However, there is nothing in Lin that the projecting end of the locking piece 3 is to be grasped. If such were the case, there is a risk that a person grasping the projecting end of the locking piece 3 would have a finger pinched when the locking piece is sprung back into the Fig. 2 position. Accordingly, a rejection of claim 24 as being anticipated by Lin is not warranted pursuant to the provisions of 35 U.S.C. 102.

The Application is believed to be in condition for allowance, and such is respectfully requested.

Respectfully submitted,



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